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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/865,660

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Igor Davidovich Kushnirskiy

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10/27/2006

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EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2194

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/865,660

Applicant(s)

KUSHNIRSKIY, IGOR  
DAVIDOVICH

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

### **DETAILED ACTION**

1. Claims 16-30 are pending in the applications. Claims 1-15 are cancelled.

#### ***Response to Arguments***

2. In response to the Non-Final Office Action dated 08 May 2006, applicant argues that neither Meyer nor Nevarez teaches a connect module having "a call parameter data structure for storing call parameters and return values" [p. 5, lines 12 – 17]. Examiner respectfully disagrees and submits that both Meyer and Nevarez teaches a connect module having "a call parameter data structure for storing call parameters and return values". For example, Meyer teaches a call parameter data structure for storing call parameters [Proxy 130 converts any parameters in the call to parameters for second execution environment 150 using a type description, p. 3, paragraph 0050] and return values [Proxy 130 converts the result and any parameters returned from second execution environment 150 to first execution environment 120, p. 3, paragraph 0051]. Nevarez also teaches a call parameter data structure for storing call parameters [relays parameters] and return values [remote provider 230 accepts calls from the object model adapter 246, uses standard network technology such as the remote bridge 248 to contact remote objects, and relays parameters and results; col. 10, lines 38 – 55]. Therefore, both Meyer and Nevarez teach applicant's invention as claimed.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**4. Claims 16-18, 20-22 and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0037417 to Meyer, cited in the previous office action.**

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

5. As to claim 16, Meyer teaches a method in a data processing system for remote inter-language method calling [Service 111 issues a call 112 to a service 161 of a second computer software program 160 executing within a second execution environment 150 that is different from first execution environment 120; p. 3, paragraph 0049] comprising:

receiving, at a connect module [intermediary proxy 185], a method call from a proxy object [proxy 130A] using an intermediary protocol [proxy 130A in response to a call 112 from service 111 of software program 110 issues a call 131 to an intermediary proxy 185 in execution environment 180 that is different from both execution environment 120 and execution environment 150; p. 3, paragraph 0053], the method call being translated from a first protocol to the intermediary protocol by the proxy object [proxy 130A converts the call from the first binary specification to the binary specification for execution environment 180 and dispatches a call 131 to intermediary proxy 185; p. 3, paragraph 0054];

translating the method call, by the connect module, from the intermediary protocol [binary specification of execution environment 180] to a second protocol [Intermediary proxy 185 converts the call from the binary specification of execution environment 180 to the binary specification of execution environment 150; p. 3, paragraph 0054], wherein the connect module includes stub implementations [each bridge can create proxy objects only from the description of an interface; p. 3,

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paragraph 0055] for a plurality of protocols [type descriptions are used to map types between environments; p. 7, paragraph 0093] and a call parameter data structure for storing call parameters [Proxy 130 converts any parameters in the call to parameters for second execution environment 150 using a type description, p. 3, paragraph 0050] and return values [Proxy 130 converts the result and any parameters returned from second execution environment 150 to first execution environment 120, p. 3, paragraph 0051]; and

issuing the method call [dispatches call 186 to service 161], by the connect module, to a method using said second [binary specification of execution environment 150] protocol [Intermediary proxy 185 converts the call from the binary specification of execution environment 180 to the binary specification of execution environment 150 and then dispatches call 186 to service 161; p. 3, paragraph 0054].

6. As to claim 17, Meyer teaches the first protocol is selected from the group of Java [JAVA; p. 5, paragraph 0071 and p. 9, paragraph 0195, Table 5], XPCOM and UNO [UNO environment; p. 5, paragraph 0071 and p. 9, paragraph 0195, Table 5].

7. As to claim 18, Meyer teaches the second protocol is selected from the group of Java [JAVA; p. 5, paragraph 0071 and p. 9, paragraph 0195, Table 5], XPCOM and UNO [UNO environment; p. 5, paragraph 0071 and p. 9, paragraph 0195, Table 5].

8. As to claims 20-22, these are system claims that correspond to method claims 16-18; note the rejections to claims 16-18 above, which also meet these system claims.

9. As to claims 24-26, these are product claims that correspond to method claims 16-18; note the rejections to claims 16-18 above, which also meet these product claims.

10. **Claims 16-18, 20-22, 24-26 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,609,158 to Nevarez et al. [hereinafter Nevarez, cited in the previous office action].**

11. As to claim 16, Nevarez teaches a method in a data processing system for remote inter-language method [remote provider 246 provides object access through a remote bridge 248 and the UCS product 224; col. 10, lines 38-54] calling comprising:

receiving, at a connect module [a universal language adapter 226; col. 10, lines 5-21], a method call from a proxy object [C/C++ language 206, and the Perl and NSN languages through their extensions 212, 214, each access objects through a C/C++ UCS API 218; col. 9, line 61 – col. 10, line 4] using an intermediary protocol [, the method call being translated from a first protocol to the intermediary protocol by the proxy object [APIs 218, 220 provide calls into a UCS product 224, such as calls to create objects, delete objects, or invoke methods of objects; col. 9, line 61 – col. 10, line 4];

translating the method call, by the connect module, from the intermediary protocol to a second protocol [core 228 is thus a mapping layer or engine which converts script commands from the universal language adapter 226 into calls to the object model adapter 230; col. 10, lines 5-21], wherein the connect module includes stub implementations for a plurality of protocols [Java component provider 232, ActiveX component provider 238, UCX component provider 242, col. 10, lines 20-40] and a call parameter data structure for storing call parameters [relays parameters] and return values [remote provider 230 accepts calls from the object model adapter 246, uses standard network technology such as the remote bridge 248 to contact remote objects, and relays parameters and results; col. 10, lines 38 – 55]; and

issuing the method call, by the connect module, to a method using said second protocol [connections provided by the UCS product 224 or another product according to the invention are used to provide access between disparate components. For instance, a Perl script may invoke a Java object method, a Java object may invoke an NLM or NMX function; col. 12, line 66 – col. 13, line 15].

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12. As to claim 17, Nevarez teaches the first protocol is selected from the group of Java [Java; col. 10, lines 20-40], XPCOM and UNO [Universal Component System; col. 6, line 62-col. 7, line 10].

13. As to claim 18, Nevarez teaches the second protocol is selected from the group of Java [Java; col. 10, lines 20-40], XPCOM and UNO [Universal Component System; col. 6, line 62-col. 7, line 10].

14. As to claim 28, Nevarez teaches the call parameters are placed by value in the call parameter data structure [manner of passing parameters to the method (e.g., by address or by value); col. 11, line 65 – col. 12, line 5].

15. As to claims 20-22 and 29, these are system claims that correspond to method claims 16-18 and 28; note the rejections to claims 16-18 and 28 above, which also meet these system claims.

16. As to claims 24-26 and 30, these are product claims that correspond to method claims 16-18 and 28; note the rejections to claims 16-18 and 28 above, which also meet these product claims.

### ***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. **Claims 19, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nevarez in view of “Project Blackwood: Integration of the Java Platform with Mozilla” [hereinafter Drapeau, cited in the previous office action].**

19. As to claims 19, 23 and 27, Nevarez teaches the Java protocols [Java; col. 10, lines 20-40] and UNO protocol [Universal Component System; col. 6, line 62-col. 7, line 10], but does not disclose the XPCOM protocol.

However, Drapeau teaches a Java Bridge to XPCOM [p. 2, BlackConnect: Java Bridge to XPCOM].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Nevarez with the system of Drapeau because this allows for the dynamic binding of Java to XPCOM components at runtime so that other facilities and extensions can be implemented in Java [p. 2, BlackConnect: Java Bridge to XPCOM, 2<sup>nd</sup> paragraph of Drapeau].

### ***Conclusion***

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **CONTACT INFORMATION**

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.



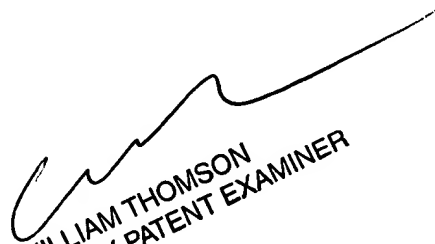
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen  
Examiner  
Art Unit 2194

LBZ



WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER